

CERTIFICATE OF DOCUMENTATION FOR THE
VESSEL "BARGE MM 262"

Mr. HOLLINGS, from the Committee on Commerce, Science,
and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

ON

S. 2844



AUGUST 12 (legislative day, AUGUST 5), 1992.—Ordered to be printed

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REPORT

[To accompany S. 2844]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 2844) to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States, having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 2844, as reported, grants coastwise trading and fisheries privileges to the vessel *Barge MM 262*.

BACKGROUND AND NEEDS

Subject to certain limitations, the law known as the Jones Act (section 27 of the Merchant Marine Act, 1920), together with sections 12106, 12107, and 12108 of title 46, U.S. Code, provides that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the Jones Act and title 46 are statutorily waived.

The vessel *Barge MM 262*, U.S. Official No. 298924, is an open-deck barge that was built in New Orleans, LA, in 1975. The vessel

was purchased by Standard Lafarge Corp. of Youngstown, OH in July 1991. The company purchased the vessel with the intention of transporting its own cargo.

Because the vessel has not been under continuous ownership by a U.S. citizen, the current owner has been unable to obtain coastwise trade and fisheries privileges for the *Barge MM 262*. Therefore, he is seeking a statutory waiver of the Jones Act for the vessel.

LEGISLATIVE HISTORY

S. 2844 was introduced in the Senate on June 12, 1992, by Senator Glenn. In open executive session on June 16, 1992, the Committee considered S. 2844 and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimates prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
June 22, 1992.

Hon. ERNEST F. HOLLINGS,
*Chairman, Committee on Commerce, Science, and Transportation
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2844, a bill to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 16, 1992. Enactment of S. 2844 would not result in any cost to the federal government or to state or local governments.

Enactment of S. 2844 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 2844 does not create any new programs, the legislation will have no additional regulatory impact and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal

privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of the enactment of this legislation, the vessel *Barge MM 262*, U.S. Official No. 298924, is eligible to engage in the coastwise trade and commercial fisheries, and the Secretary of Transportation may issue a certificate of documentation for the vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

